Express Mail Label No.: EK611908742US
Date of Deposit: November 7, 2000

PATENT APPLICATION
Attorney Docket No. 15966-557 CIP

OIPE
NOV 8 ? 2000
PATENT & TRADEMARK OFFICE

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter that is claimed and for which a utility patent is sought on the invention entitled:

NOVEL FIBROBLAST GROWTH FACTOR AND NUCLEIC ACIDS ENCODING SAME

the specification of which:

☒ was filed on **July 3, 2000**, as United States Non-Provisional Application No. **09/609,543**, bearing Attorney Docket No. 15966-557 CIP (Cura-57 CIP).

☐ is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

☒ I hereby claim the benefit under Title 35, United States Code, § 119(e) or §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Application No. *(U.S.S.N.)*	**Filing Date** *(dd/mm/yy)*	**Status** *(Patented, Pending, Abandoned)*
60/145,899	July 27, 1999	Pending
09/494,585	January 31, 2000	Pending

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Attorney or Agent	Registration No.	Attorney or Agent	Registration No.
Kevin Ainsworth	39,586	Robert Klauzinski	42,742
Ingrid Beattie	42,306	Kristin E. Konzak	44,848
David B. Bernstein	32,112	Cynthia Kozakiewicz	42,764
Naomi Biswas	38,384	Barry Marenberg	40,715
David F. Crosby	36,400	William Marino	44,219
James G. Cullem	43,569	A. Jason Mirabito	28,161
Brett N. Dorny	35,860	Michel Morency	Limited Recognition
Marianne Downing	42,870	Bradley Olson	40,750
Ivor R. Elrifi	39,529	Carol H. Peters	45,010
Heidi A. Erlacher	45,409	Michael Renaud	44,299
Christina Gadiano	37,628	Brian Rosenbloom	41,276
John A. Harre	37,345	Thomas M. Sullivan	39,392
Shane Hunter	41,858	Howard Susser	33,556
David E. Johnson	41,874	Shelby J. Walker	45,192
Kris Kalidindi	41,461	Martin M. Zoltick	35,745
Christina Karnakis	45,899		

all of MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO PC, as Applicant's attorneys with full power of substitution and revocation to take any and all action necessary with regard to the above-identified patent.

Address all telephone calls to Ivor R. Elrifi at telephone number (617) 348-1747. Address all correspondence to:

Ivor R. Elrifi
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
One Financial Center
Boston, Massachusetts 02111

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

Michael Jeffers 10/23/00

Signature of Michael Jeffers **Date**

Full Name of Inventor: Michael Jeffers
Citizenship: United States
Residence: 14 Flax Mill Hollow, Branford, CT 06405
Post Office Address: same

10/20/00

Richard A. Shimkets' Signature **Date**

Full Name of Inventor: Richard A. Shimkets
Citizenship: United States
Residence: 191 Leete Street, West Haven, CT 06516
Post Office Address: same

Sudhirdas K. Prayaga's Signature **Date**

Full Name of Inventor: Sudhirdas K. Prayaga
Citizenship: India; Permanent Green Card for United States
Residence: 140 Mill Street, Apt. 18-136, East Haven, 06512
Post Office Address: same

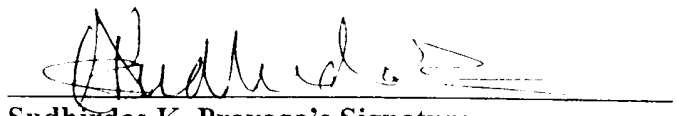
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

Signature of Michael Jeffers **Date**

Full Name of Inventor: Michael Jeffers
Citizenship: United States
Residence: 14 Flax Mill Hollow, Branford, CT 06405
Post Office Address: same

Richard A. Shimkets' Signature **Date**

Full Name of Inventor: Richard A. Shimkets
Citizenship: United States
Residence: 191 Leete Street, West Haven, CT 06516
Post Office Address: same



November 1, 2000

Sudhirdas K. Prayaga's Signature **Date**

Full Name of Inventor: Sudhirdas K. Prayaga
Citizenship: India; Permanent Green Card for United States
Residence: 140 Mill Street, Apt. 18-136, East Haven, 06512
Post Office Address: same

10/30/00

Signature of Ferenc L. Boldog Date

Full Name of Inventor: Ferenc L. Boldog
Citizenship: Hungary
Residence: 1687 Hartford Turnpike, North Haven, CT 06473
Post Office Address: same

Signature of Meijia Yang Date

Full Name of Inventor: Meijia Yang
Citizenship: Republic of China
Residence: 6 Catbird Lane, East Lyme, CT 06533
Post Office Address: same

Catherine E. Burgess 10/31/00

Signature of Catherine Burgess Date

Full Name of Inventor: Catherine Burgess
Citizenship: United States
Residence: 90 Carriage Hill Drive, Wethersfield, CT 06109
Post Office Address: same

11/24/00

Signature of Elma Fernandes Date

Full Name of Inventor: Elma Fernandes
Citizenship: United States
Residence: 77 Florence Road #2B, Branford, CT 06405
Post Office: same

10.25-00

Signature of John L. Herrmann Date

Full Name of Inventor: John L. Herrmann
Citizenship: Hungarian
Residence: 78 Barnshed Lane, Gilford, CT 06437
Post Office Address: same

10-20-00

Signature of William J. LaRochelle Date

Full Name of Inventor: William J. LaRochelle
Citizenship: United States
Residence: 15 Devonshire Lane, Madison, CT 06443
Post Office Address: same

10/20/00

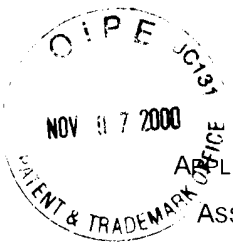
Signature of Henri Lichenstein Date

Full Name of Inventor: Henri Lichenstein
Citizenship: United States
Residence: ~~24 Sheep Pasture Road, Madison, CT 06443~~
Post Office Address: same 38 Greenbrier Drive
Guilford, CT 06437

TRADOCS:1347743.2(svxb02!.DOC)

Express Mail Label No.: EK611908742US
Date of Deposit: November 7, 2000

PATENT APPLICATION
Attorney Docket No. 15966-557CIP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS :	Jeffers, *et al.*		
ASSIGNEE :	CuraGen Corporation		
SERIAL NUMBER :	09/609,543	EXAMINER :	Not Yet Assigned
FILING DATE :	3 July 2000	ART UNIT :	1646
FOR :	NOVEL FIBROBLAST GROWTH FACTOR AND NUCLEIC ACIDS ENCODING SAME		

STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c) – SMALL BUSINESS CONCERN)

I hereby state that I am an official of the small business concern empowered to act on behalf of the concern identified below:

CURAGEN CORPORATION
555 Long Wharf Drive, 11th Floor
New Haven, Connecticut 06511

I hereby state that the above identified small business concern qualifies as a small business concern, as defined in 13 C.F.R. § 121, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to, and remain with, the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above;
- ☒ the application identified above; or
- ☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below: ω

ω ***Note:*** *Separate Statements Claiming Small Entity Status are required from each named person, concern, or organization having rights to the invention. 37 C.F.R. § 1.27.*

Full Name:
Address:
☐ Individual ☐ Small Business Concern ☐ Non-profit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. 37 C.F.R. § 1.28(b).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of person signing: **George A. Xixis, Esq.**

Title in organization of person signing: **Intellectual Property Counsel**

Address of person signing: CURAGEN CORPORATION
322 East Main Street
Branford, Connecticut 06405

Signature: _____ Date: 9/20/2000

TRADOCS:1380685.1(TI.CD011.DOC)